UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/780,109	02/17/2004	Jeffry Jovan Philyaw	RPXC - 26,630	6493

25883   7590   04/09/2010
HOWISON & ARNOTT, L.L.P
P.O. BOX 741715
DALLAS, TX 75374-1715

EXAMINER
HOANG, HIEU T

ART UNIT	PAPER NUMBER
2452	

NOTIFICATION DATE	DELIVERY MODE
04/09/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patents@dalpat.com

PTOL-90A (Rev. 04/07)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *01 February 2010*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-25* is/are pending in the application.

   4a) Of the above claim(s) *21-25* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1.   A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 02/01/2010 has been entered.

2.   Claims 1-25 are pending.

Election/Restrictions

3.   Applicant's election of claims 1-20 in the reply filed on 02/01/2010 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

4.   Claims 21-25 are withdrawn.

5.   Claims 1-20 have been examined.

Response to Amendment

6.   The 35 U.S.C. 112 rejection, first paragraph, of claims 1-20 has been withdrawn due to the amendment.

Response to Arguments

7.   Applicant's arguments have been fully considered but are unpersuasive.

Applicant argues that Durst alone does not teach: "forming a representation of

machine recognizable code (MRC) information contained within an MRC using the

remote control device in response to the user pressing a first button of the remote

control device...", "wirelessly transmitting the representation of the MRC information

contained within the MRC to a network interface device in response to the step of

forming", and "displaying the downloaded information on a display at the user location,

such that when displayed, substantially immediate feedback of displayed information is

provided to the user in response to the step of forming" as recited in Claim 1. In

response to applicant's arguments against the references individually, one cannot show

nonobviousness by attacking references individually where the rejections are based on

combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA

1981); *In re Merck & Co.,* 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). A new

ground of rejection of Van Ryzin in view of Durst is provided (see 35 USC 103 rejection

below). In addition, applicant seems to emphasize on that Durst's automatic transfers

of bar code information to the network interface device *inherently* requires some delay

time for the user to point the device and is therefore do not provide "substantially

immediate feedback" to the user. First of all, to which degree "substantially immediate"

means is not recited in the claims. Therefore, a user pointing to a device (2 seconds

approximately) can be read as "substantially immediate." Second, the delay in Durst is

not inherent. Once the device has been set up at a right orientation (such as in fig 1C of

Durst), there will no need for pointing at the network interface and there will be no delay

in the transmission.

8.   Applicant's arguments on the motivation of the Durst-Wilz combination are moot

in view of new ground of rejection.

Double Patenting

9.   The nonstatutory double patenting rejection is based on a judicially created
doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the
unjustified or improper timewise extension of the "right to exclude" granted by a patent
and to prevent possible harassment by multiple assignees.   A nonstatutory
obviousness-type double patenting rejection is appropriate where the conflicting claims
are not identical, but at least one examined application claim is not patentably distinct
from the reference claim(s) because the examined application claim is either anticipated
by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140
F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29
USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir.
1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422
F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163
USPQ 644 (CCPA 1969).
         A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d)
may be used to overcome an actual or provisional rejection based on a nonstatutory
double patenting ground provided the conflicting application or patent either is shown to
be commonly owned with this application, or claims an invention made as a result of
activities undertaken within the scope of a joint research agreement.
         Effective January 1, 1994, a registered attorney or agent of record may sign a
terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with
37 CFR 3.73(b).

10.   Claims 1-9 and 11-19 are rejected on the ground of nonstatutory obviousness-

type double patenting as being unpatentable over claims 1-9 of **U.S. Patent No.**

6,868,433 ('433) in view of **Durst Jr. et al. (US 2001/0011276, hereafter Durst)**. For

claim 1, '433 discloses the claimed invention: providing a device, in a scanning mode:

forming a representation of machine recognizable code (MRC) information contained

within an MRC using the device in response to the user pressing a first button of the

remote control device, the representation of the MRC having no network address

routing information contained therein (claim 1, sensing optical indicia to detect a product

ID that has no routing information, claim 7, button); transmitting the representation of

the MRC information contained within the MRC to a network interface device in

response to the step of forming (claim 1, product ID sent to first computer); transmitting

the representation of the MRC information from the network interface device to an

intermediate location on the network (claim 1, first computer accesses second computer

over the network for product ID lookup); receiving network address routing information

associated with the representation of the MRC information from the intermediate

location, the network address routing information including a network address

associated with a remote location on the network; connecting the user location over the

network to the remote location associated with the representation of the MRC

information using the network address routing information retrieved from the

intermediate location and downloading information therefrom; displaying the

downloaded information on a display at the user location, such that when displayed,

substantially immediate feedback of displayed information is provided to the user in

response to the step of forming (claim 1 and 6, the second computer lookups routing

address of a remote location/vendor, returns the address, first computer accesses the

remote location/vendor using the routing information and download related information)

‘433 does not disclose the device is a remote control device operating in a first

and control mode with internally generated control commands and in a second and

scanning mode; in the control mode, controlling an appliance at a user location by wirelessly transmitting the control commands to the appliance; and the first transmitting is wireless. However, Durst teaches teach a remote control device having two modes scanning and controlling an appliance, and wirelessly transmitting the MRC information to a network interface device ([0011], [0043], scanner and TV controller with scan button, [0044], infrared wireless transmission of bar code information)

It would have been obvious for one skilled in the art at the time of the invention to apply Durst's teachings of a remote control having dual modes (remote control and scanner) to '433. The motivation would be to incorporate the automatic linking of online resources to printed media in the context of the normal viewing habits of broadcast television viewers (Durst, [0005], [0009], both watch TV and surf the Web) and also take advantage of farther and flexible range that wireless transmission of MRC information to the network interface device (Durst, fig. 1C, wireless ranged transmission).

11.   Claim 11 is rejected for the same rationale as in claim 1.

12.   Claims 2, 8, 9 and 12, 18, 19 of the application are obvious invariants of claim 6 of '433.

13.   Claims 3 and 13 of the application are obvious invariants of claim 1 of '433 in view of Durst ([0011], [0043-0044]).

14.   Claims 4 and 14 of the application are obvious invariants of claim 4 of '433.

15.   Claims 5 and 15 of the application are obvious invariants of claim 4 of '433.

16.   Claims 6, 7 and 16, 17 of the application are obvious invariants of claim 1 of '433.

17.   Claims 1-9 and 11-19 are rejected on the ground of nonstatutory obviousness-

type double patenting as being unpatentable over claims 1-13 of **U.S. Patent No.**

6,754,698 ('698) in view of **Durst**. For claim 1, '698 discloses the claimed invention:

providing a device, in a scanning mode: forming a representation of machine

recognizable code (MRC) information contained within an MRC using the device in

response to the user pressing a first button of the remote control device, the

representation of the MRC having no network address routing information contained

therein (claim 1, sensing optical indicia to detect a product ID that has no routing

information, claim 5, button); transmitting the representation of the MRC information

contained within the MRC to a network interface device in response to the step of

forming (claim 1, product ID sent to first computer); transmitting the representation of

the MRC information from the network interface device to an intermediate location on

the network (claim 1, first computer accesses second computer over the network for

product ID lookup); receiving network address routing information associated with the

representation of the MRC information from the intermediate location, the network

address routing information including a network address associated with a remote

location on the network; connecting the user location over the network to the remote

location associated with the representation of the MRC information using the network

address routing information retrieved from the intermediate location and downloading

information therefrom; displaying the downloaded information on a display at the user

location, such that when displayed, substantially immediate feedback of displayed

information is provided to the user in response to the step of forming (claim 1, the

second computer lookups routing address of a remote location/vendor, returns the

address, first computer accesses the remote location/vendor using the routing

information and download related information)

'698 does not disclose the device is a remote control device operating in a first

and control mode with internally generated control commands and in a second and

scanning mode; in the control mode, controlling an appliance at a user location by

wirelessly transmitting the control commands to the appliance; and the first transmitting

is wireless. However, Durst teaches teach a remote control device having two modes

scanning and controlling an appliance, and wirelessly transmitting the MRC information

to a network interface device ([0011], [0043], scanner and TV controller with scan

button, [0044], infrared wireless transmission of bar code information)

It would have been obvious for one skilled in the art at the time of the invention to

apply Durst's teachings of a remote control having dual modes (remote control and

scanner) to '698.   The motivation would be to incorporate the automatic linking of

online resources to printed media in the context of the normal viewing habits of

broadcast television viewers (Durst, [0005], [0009], both watch TV and surf the Web)

and also take advantage of farther and flexible range that wireless transmission of MRC

information to the network interface device (Durst, fig. 1C, wireless ranged

transmission).

18.   Claim 11 is rejected for the same rationale as in claim 1.

19.   Claims 2 and 12 of the application are obvious invariants of claim 12 of '698.

20.   Claims 8, 9 and 18, 19 of the application are obvious invariants of claim 6 of '698.

21.   Claims 3 and 13 of the application are obvious invariants of claim 1 of '698 in

view of Durst ([0011], [0043-0044]).

22.   Claims 4, 5 and 14, 15 of the application are obvious invariants of claim 1 of '698

in view of Durst (fig. 4B).

23.   Claims 6, 7 and 16, 17 of the application are obvious invariants of claim 1 of '698.

Claim Rejections - 35 USC § 103

24.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as
> set forth in section 102 of this title, if the differences between the subject matter sought to be
> patented and the prior art are such that the subject matter as a whole would have been obvious
> at the time the invention was made to a person having ordinary skill in the art to which said
> subject matter pertains. Patentability shall not be negatived by the manner in which the invention
> was made.

25.   Claims 1-9, 11-19 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Van Ryzin (US 2002/0059241), in view of Durst (US 2001/0011276).

26.   For claim 1, Van Ryzin discloses a method for a user accessing information on a

network, comprising the steps of:

        providing a device (fig. 1, optical scanner), operating in a scanning mode:

        forming a representation of machine recognizable code (MRC) information

contained within an MRC using the device, the representation of the MRC having no

network address routing information contained therein (fig. 1, 2, an optical scanner

scanning and decoding bar code for product code number (PCN) that has no network

address routing information);

transmitting the representation of the MRC information contained within the MRC

to a network interface device in response to the step of forming (fig. 1, 2, sending the

PCN to the modem);

transmitting the representation of the MRC information from the network interface

device to an intermediate location on the network (fig. 1, item 40, fig. 2, step 110,

transmitting the PCN to a server database 30);

receiving network address routing information associated with the representation

of the MRC information from the intermediate location, the network address routing

information including a network address associated with a remote location on the

network (fig. 1, item 50, fig. 2, step 120, receiving internet address from the server

database);

connecting the user location over the network to the remote location associated

with the representation of the MRC information using the network address routing

information retrieved from the intermediate location and downloading information

therefrom (fig. 2, step 130, link browser at the user location (browser on PC 10a in fig.

1) to received internet address to download the webpage, [0024], downloading

information); and

displaying the downloaded information on a display at the user location ([0024],

internet webpage site is displayed to the user, fig. 1, PC with webpage at the user

location), such that when displayed, substantially immediate feedback of displayed

information is provided to the user in response to the step of forming ([0023]).

Van Ryzin does not disclose the device is a remote control device operating in a

first and control mode with internally generated control commands and in a second and

scanning mode; in the control mode, controlling an appliance at a user location by

wirelessly transmitting the control commands to the appliance; and the forming is in

response to the user pressing a first button of the remote control device; and the first

transmitting is wireless.

In the same field of endeavor, Durst discloses the device is a remote control

device operating in a first and control mode with internally generated control commands

and in a second and scanning mode; in the control mode, controlling an appliance at a

user location by wirelessly transmitting the control commands to the appliance ([0011],

TV remote control and optical scanner for wirelessly controlling a TV and scanning bar

code), and the forming is in response to the user pressing a first button of the remote

control device ([0043], scan button); and wirelessly transmitting MRC information to a

network interface device ([0044], infrared transmission of bar code information to a web-

ready TV)

It would have been obvious for one skilled in the art at the time of the invention to

apply Durst's teachings of a remote control having dual modes (remote control and

scanner) to the invention of Van Ryzin (hereafter Van Ryzin-Durst). The motivation

would be to incorporate the automatic linking of online resources to printed media in the

context of the normal viewing habits of broadcast television viewers (Durst, [0005],

[0009], both watch TV and surf the Web) and also take advantage of farther and flexible

range that wireless transmission of MRC information to the network interface device

(Durst, fig. 1C, wireless ranged transmission).

27.   For claim 2, Van Ryzin-Durst further discloses the network is a global

communication network (Van Ryzin, fig. 1, internet).

28.   For claim 3, Van Ryzin-Durst further discloses the step of forming comprises

scanning the MRC with a scanner (Van Ryzin, fig. 1, optical scanner), which scanner is

incorporated into the remote control device (Durst, [0011]).

29.   For claim 4, Van Ryzin-Durst further discloses the MRC in the step of forming is

a UPC associated with an article of commerce (Van Ryzin, [0020], UPC of a product).

30.   For claim 5, Van Ryzin-Durst further discloses the MRC in the step of forming is

associated with a product and the remote location on the network is associated with the

product (Van Ryzin, fig. 2, internet address of product related resources).

31.   For claim 6, Van Ryzin-Durst further discloses the display in the step of

displaying is disposed in close association with the network interface device (Van Ryzin,

fig. 1, browser for displaying is close to modem).

32.   For claim 7, Van Ryzin-Durst further discloses the network interface device in the

step of wirelessly transmitting and the display in the step of displaying comprise a

personal computer (Van Ryzin, fig. 2, PC, Durst, fig. 8, computer means).

33.   For claim 8, Van Ryzin-Durst further discloses the step of connecting to the

remote location and downloading the information therefrom comprises: transmitting the

representation of the MRC information to an intermediate location on the network

having a relational database associated therewith (Van Ryzin, fig. 2, send product code

number to server database), which relational database has contained therein

relationships between a plurality of representations of MRCs and network address

routing information on the network; comparing the received representation of the MRC

information with information in the relational database to determine if a match exists

(Van Ryzin, [0033], requests internet page for the product bar code number at the

server database); and if a match exists, accessing the remote location and downloading

the information therefrom to the display (Van Ryzin, [0033], invoking client to link to the

internet page and download the page).

34.   For claim 9, Van Ryzin-Durst further discloses the display and the network

interface device are disposed at the user location remote from the remote location on

the network (Van Ryzin, fig. 1, modem remote from server database) and the step of

accessing information from the remote location comprises transferring the network

address routing information from the relational database back to the user location (Van

Ryzin, fig. 1, item 50, fig. 2, S120), the user location and the network interface device

then accessing the remote location and the information therefrom for download

therefrom (Van Ryzin, fig. 2, [0024], [0033], remotely retrieving routing IP address for a

product resource then use the routing IP address to link browser to the product

resource).

35.   For claim 11, Van Ryzin discloses a system for accessing information on a

network, comprising:

        a device operating in a scan mode (fig.1, optical scanner):

        a machine recognizable code (MRC) at said user location has a representation of

the MRC information formed by a scanning operation thereof, which said representation

of the MRC has no network address routing information contained therein (fig. 1, 2, an

optical scanner scanning and decoding bar code for product code number (PCN) that

has no network address routing information);

        a network interface device in communication with said device and to which said

representation of the MRC information is transmitted from said device in response to

being formed (fig. 1, 2, sending the PCN from the scanner to the modem);

        wherein said network interface device at said user location transmits the

representation of the MRC information to an intermediate location on the network (fig. 1,

item 40, fig. 2, step 110, transmitting the PCN to a server database 30), receives routing

information associated with the representation of the MRC information from the

intermediate location, the routing information including a network address associated

with a remote location on the network (fig. 1, item 50, fig. 2, step 120, receiving internet

address from the server database); connects to said remote location associated with

said representation of the MRC information using the routing information retrieved from

the intermediate location and downloads information therefrom (fig. 2, step 130, link

browser at the user location (browser on PC 10a in fig. 1) to received internet address

to download the webpage, [0024], downloading information); and

wherein said downloaded information is displayed on a display at said user

location ([0024], internet webpage site is displayed to the user, fig. 1, PC with webpage

at the user location), such that when displayed, substantially immediate feedback of

displayed information is provided to the user in response to said MRC being scanned

([0023]).

Van Ryzin does not disclose:

the device is a remote control device operating in a first and control mode with

internally generated control commands, and in a second and scan mode; wherein in

said control mode, an appliance at a user location is controlled by wirelessly

transmitting said control commands to said appliance; and the forming is in response to

the user pressing a first button of the remote control device; and said representation of

the MRC information is wirelessly transmitted.

In the same field of endeavor, Durst discloses the device is a remote control

device operating in a first and control mode with internally generated control commands,

and in a second and scan mode; wherein in said control mode, an appliance at a user

location is controlled by wirelessly transmitting said control commands to said appliance

([0011], TV remote control and optical scanner for wirelessly controlling a TV and scanning bar code), and the forming is in response to the user pressing a first button of the remote control device ([0043], scan button); and wirelessly transmitting MRC information to a network interface device ([0044], infrared transmission of bar code information to a web-ready TV)

It would have been obvious for one skilled in the art at the time of the invention to apply Durst's teachings of a remote control having dual modes (remote control and scanner) to the invention of Van Ryzin. The motivation would be to incorporate the automatic linking of online resources to printed media in the context of the normal viewing habits of broadcast television viewers (Durst, [0005], [0009], both watch TV and surf the Web) and also take advantage of farther and flexible range that wireless transmission of MRC information to the network interface device (Durst, fig. 1C, wireless ranged transmission).

36.   For claims 12-19, the claims are rejected for same rationale as in claims 2-9 respectively.

37.   **Claims 10 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Van Ryzin and Durst, further in view of Schumacher et al. (US 6,038,664, hereafter Schumacher)**

38.   For claim 10, as applied to claim 1, Van Ryzin further teaches at the network

interface device, receiving the transmitted MRC information and, upon receiving any of

the transmitted stored information, utilizing that received stored information to connect

to the remote location on the network (Van Ryzin, fig. 1, 2, [0010], modem accesses the

server database and the internet page based on the scanned codes)

Van Ryzin does not disclose the step of forming comprises extracting MRC

information with a portable extracting device and the step of wirelessly transmitting

comprises the steps of: storing the extracted MRC information in a memory; transmitting

the stored extracted MRC information to the network interface device in a

predetermined number of steps; transfers of extracted MRC information from the

portable extraction device.

Durst discloses the step of forming comprises extracting MRC information with a

portable extracting device (Durst, fig. 1A, 1B, portable remote control device) and the

step of wirelessly transmitting comprises the steps of: storing the extracted MRC

information in a memory (Durst, [0040], fig. 3, DRAM memory for buffering scanned bar

codes); transmitting the stored extracted MRC information to the network interface

device in a predetermined number of steps (Durst, [0040], [0028], one step of

transferring by the transmit button); transfers of extracted MRC information from the

portable extraction device (Durst, [0044])

It would have been obvious to one skilled in the art at the time of the invention to

apply buffering of multiple bar codes by Durst to Van Ryzin. The motivation would be to

provide means for storing multiple bar codes at the same time (Durst, [0044]) to provide ease of scanning and storing.

Van Ryzin-Durst does not disclose ignoring subsequent transfers.

Schumacher disclose processing the first message and discarding subsequent messages (col. 9 l. 65-67)

It would have been obvious to one skilled in the art at the time of the invention to discard subsequent transfers of extracted information from the portable extraction device in Van Ryzin-Durst as taught by Schumacher. The motivation would be to provide download information to the first bar code scanned to not overburden the server database, and to provide the most appropriate information to the first bar code.

39.   Claim 20 is rejected for same rationale as in claim 10.

Conclusion

40.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hieu T. Hoang whose telephone number is 571-270-1253. The examiner can normally be reached on Monday-Thursday, 8 a.m.-5 p.m., EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thu Nguyen can be reached on 571-272-6967. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Hieu Hoang/
Examiner, Art Unit 2452